

REMARKS

1. Formal Matters

a. Advisory Action and Status of Claims

Applicant hereby acknowledges receipt of the Advisory Action date August 14, 2007. In response to the Advisory Action, Applicant hereby presents claim amendments to place the application in condition for allowance. Specifically, claims 21, 23-25, 27, 28, 35, and 36 are pending in the instant application. Claims 21, 24, and 28 are amended and support for the amendment can be found throughout the specification, for example, Table 2, lines 7203-7282, 7383-7412, 7418-7472, and paragraph 0014. Upon entry of these amendments, claims 21 23-25, 27, 28, 35, and 36 are pending and under active consideration. Applicant respectfully requests entry of the amendments and remarks made herein into the file history of the instant application.

b. Interview Summary

The undersigned would like to thank Examiners Shin and Zara for the courtesy of the personal interview on May 8, 2007 during which the prior art and amendments to the claims were discussed. This Reply is filed to address the issues raised by the Examiner.

2. Patentability Remarks

Applicant hereby submits that the rejection of the pending claims under 35 U.S.C. §102(b) in view of Cowser et al. (U.S. Patent No. 6,107,091), 35 U.S.C. §102(b) in view of Robbins et al. (WO 2001/30362), 35 U.S.C. §102(a) and (e) in view of Bennett *et al.* (WO 2002/88162), and 35 U.S.C. § 102(e) in view of Aldwinckle *et al.* (US 6,903,247) has been overcome by the amendments. None of the cited references teach or suggest at least 83.3% identical to 20 or more nucleotides of SEQ ID NOS: 128, 131, or 133.

Applicant further submits that the rejection of claims 21, 23-25, 27, 28, 35, and 36 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Robbins in view of Fire *et al.* (US 6,506,559; "Fire" hereafter) has been overcome. Specifically, Applicant submits that the differences between the Robbins sequence and the miRNA sequence encoded by GAM142 (SEQ ID NO: 477) would be expected to lead to differences in binding of target sequences and inhibition. Fire does nothing to overcome the failings of Robbins to identify the same target gene mRNAs as the claimed invention. Accordingly, the nucleic

acids of amended claim 21, and new claims 41 and 42 are not obvious as compared to the Robbins sequences in view of Fire. In view of the foregoing amendment and remarks, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 21, 23-25, 27, 28, 35, and 36 under 35 U.S.C. § 103(a).

3. Conclusion

Applicant respectfully submits that the instant application is in good and proper order for allowance and early notification to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

POLSINELLI SHALTON FLANIGAN SUELTHAUS PC

Dated: August 30, 2007

On behalf of: Teddy C. Scott, Jr., Ph.D.
Registration No. 53,573

By: /Paul A. Jenny/
Paul A. Jenny
Registration No. 59,014
Customer No. 37808

POLSINELLI SHALTON FLANIGAN SUELTHAUS PC
180 N. Stetson Ave., Suite 4525
Chicago, IL 60601
312.819.1900 (main)
312.602.3955 (E-fax)
312.873.3613 (direct)